

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. FLEISCHMANN). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DENHAM) having assumed the chair, Mr. FLEISCHMANN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3521) to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for a legislative line-item veto to expedite consideration of rescissions, and for other purposes, and, pursuant to House Resolution 540, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

#### RECORDED VOTE

Mr. LEVIN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 254, noes 173, not voting 6, as follows:

[Roll No. 46]

#### AYES—254

Adams	Brady (TX)	Costa
Akin	Brooks	Costello
Altmire	Buchanan	Cravaack
Amodel	Bucshon	Crawford
Andrews	Buerkle	Cuellar
Bachmann	Burgess	Culberson
Barletta	Camp	Davis (KY)
Barrow	Campbell	DeFazio
Bartlett	Canseco	Denham
Barton (TX)	Cantor	Dent
Bass (CA)	Capito	DesJarlais
Bass (NH)	Capps	Diaz-Balart
Benishek	Cardoza	Doggett
Berg	Carnahan	Dold
Biggert	Carney	Donnelly (IN)
Bilbray	Castor (FL)	Dreier
Bilirakis	Chabot	Duffy
Bishop (NY)	Chaffetz	Duncan (TN)
Bishop (UT)	Chandler	Ellmers
Black	Cicilline	Eshoo
Blackburn	Cole	Farenthold
Bonamici	Coffman (CO)	Fincher
Bono Mack	Conaway	Fitzpatrick
Boren	Connolly (VA)	Flake
Boswell	Cooper	Fleischmann

Fleming	Lankford	Renacci
Flores	Larsen (WA)	Ribble
Forbes	Latham	Rigell
Fortenberry	Latta	Rivera
Fox	LoBiondo	Roe (TN)
Franks (AZ)	Loeb	Rogers (MI)
Frelinghuysen	Loebach	Rohrabacher
Gallegly	Lucas	Rokita
Garamendi	Luetkemeyer	Ros-Lehtinen
Gardner	Lummis	Roskam
Garrett	Lungren, Daniel E.	Ross (AR)
Gerlach	Mack	Ross (FL)
Gibbs	Manzullo	Royce
Gibson	Marchant	Runyan
Gingrey (GA)	Marino	Ruppersberger
Gohmert	Matheson	Ryan (WI)
Goodlatte	McCarthy (CA)	Scalise
Gosar	McCarthy (NY)	Schilling
Gowdy	McCauley	Schmidt
Graves (GA)	McClintock	Schock
Graves (MO)	McCotter	Schrader
Griffin (AR)	McHenry	Schwartz
Grimm	McKeon	Schweikert
Guinta	McKinley	Scott (SC)
Guthrie	McMorris	Sensenbrenner
Hall	Rodgers	Sessions
Hanna	Meehan	Sherman
Harper	Mica	Shimkus
Harris	Michaud	Shuler
Hartzler	Miller (FL)	Smith (NE)
Hastings (WA)	Miller (MI)	Smith (NJ)
Hayworth	Miller, Gary	Smith (TX)
Heck	Miller, George	Smith (WA)
Heinrich	Mulvaney	Southerland
Hensarling	Murphy (PA)	Stearns
Herger	Myrick	Stivers
Higgins	Neugebauer	Stutzman
Himes	Noem	Sullivan
Hochul	Nugent	Terry
Huelskamp	Nunes	Thornberry
Huizenga (MI)	Olson	Tiberi
Hultgren	Owens	Tipton
Hurt	Paulsen	Tsongas
Inslee	Pearce	Turner (NY)
Israel	Pelosi	Turner (OH)
Issa	Pence	Upton
Jenkins	Perlmutter	Van Hollen
Johnson (IL)	Peters	Walberg
Johnson (OH)	Petri	Walden
Johnson, Sam	Pitts	Webster
Jordan	Platts	Welch
Kelly	Poe (TX)	West
Kind	Polis	Westmoreland
King (NY)	Pompeo	Wilson (FL)
Kingston	Posney	Wilson (SC)
Kinzinger (IL)	Price (GA)	Wittman
Kissell	Quayle	Woodall
Kline	Quigley	Yoder
Lamborn	Reed	Young (IN)
Lance	Rehberg	
Langevin	Reichert	

#### NOES—173

Ackerman	Crowley	Honda
Aderholt	Cummings	Hoyer
Alexander	Davis (CA)	Hunter
Amash	Davis (IL)	Jackson (IL)
Austria	DeGette	Jackson Lee
Baca	DeLauro	(TX)
Bachus	Deutch	Johnson (GA)
Baldwin	Dicks	Johnson, E. B.
Becerra	Dingell	Jones
Berkley	Doyle	Kaptur
Berman	Duncan (SC)	Keating
Bishop (GA)	Edwards	Kildee
Bonner	Ellison	King (IA)
Boustany	Emerson	Kucinich
Brady (PA)	Engel	Labrador
Braley (IA)	Farr	Landry
Brown (GA)	Fattah	Larson (CT)
Brown (FL)	Filner	LaTourette
Burton (IN)	Frank (MA)	Lee (CA)
Butterfield	Fudge	Lewis (CA)
Calvert	Gonzalez	Lewis (GA)
Capuano	Granger	Lipinski
Carson (IN)	Green, Al	Lofgren, Zoe
Carter	Green, Gene	Lowey
Chu	Griffith (VA)	Lujan
Clarke (MI)	Grijalva	Lynch
Clarke (NY)	Gutierrez	Maloney
Clay	Hahn	Markey
Cleaver	Hanabusa	Matsui
Clyburn	Hastings (FL)	McCollum
Cohen	Herrera Beutler	McDermott
Cole	Hinchey	McGovern
Conyers	Hinojosa	McNerney
Courtney	Hirono	Meeks
Crenshaw	Holden	Miller (NC)
Critz	Holt	

Moore	Rooney	Thompson (CA)
Moran	Rothman (NJ)	Thompson (MS)
Murphy (CT)	Roybal-Allard	Thompson (PA)
Nadler	Rush	Tierney
Napolitano	Ryan (OH)	Tonko
Neal	Sánchez, Linda T.	Towns
Nunnelee	Sanchez, Loretta	Velázquez
Olver	Sarbanes	Visclosky
Palazzo	Schakowsky	Walsh (IL)
Pallone	Schiff	Walz (MN)
Pascarell	Scott (VA)	Wasserman
Pastor (AZ)	Scott, Austin	Schultz
Peterson	Scott, David	Waters
Pingree (ME)	Serrano	Watt
Price (NC)	Sewell	Waxman
Rahall	Shuster	Whitfield
Rangel	Simpson	Wolf
Reyes	Sires	Womack
Richardson	Slaughter	Woolsey
Richmond	Speler	Yarmuth
Roby	Stark	Young (AK)
Rogers (AL)	Sutton	Young (FL)
Rogers (KY)		

#### NOT VOTING—6

Blumenauer	Long	Paul
Cassidy	McIntyre	Payne

□ 1617

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that, in the engrossment of H.R. 3521, the Clerk be authorized to correct section numbers, punctuation, and cross-references and to make such other technical and conforming changes as may be necessary to reflect the actions of the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

#### HOOR OF MEETING ON TOMORROW

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

#### MOTION TO INSTRUCT CONFEREES ON H.R. 3630, TEMPORARY PAY-ROLL TAX CUT CONTINUATION ACT OF 2011

Mr. BISHOP of New York. Mr. Speaker, I offer a motion to instruct on H.R. 3630.

The SPEAKER pro tempore (Mr. RIVERA). The Clerk will report the motion.

The Clerk read as follows:

Mr. Bishop of New York moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 3630 be instructed to file a conference report not later than February 17, 2012.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from New York (Mr. BISHOP) and the gentleman from Oregon (Mr. WALDEN) each will control 30 minutes.

The Chair recognizes the gentleman from New York.

Mr. BISHOP of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this motion to instruct conferees is very simple and straightforward. It directs conferees negotiating extensions of the payroll tax cut, unemployment insurance, and the SGR to file their conference report by February 17, 2012.

Day in and day out, Members of this body come to the floor to speak about the level of uncertainty that is hindering the U.S. economy and stifling job growth. We have heard Speaker BOEHNER argue that the Bush tax cuts must be extended in perpetuity to relieve corporations of uncertainty. We have heard our Tea Party friends rally against the deficit in order to reduce uncertainty for job creators.

Time and time again, we've heard our Republican colleagues speak of the uncertainty that EPA regulations have created for expanding jobs. Yet, when we contemplate the uncertainty created for consumers, small businesses, doctors, and the unemployed driven by Congress' inability to address the payroll tax extension, the SGR fix, and unemployment benefits, our Republican friends are suddenly silent.

□ 1620

We all remember the debate in December when, after years of touting the benefits of tax cuts, our Republican colleagues suddenly changed their minds when a payroll tax cut was considered, a tax cut that will provide immediate relief for millions of Americans and will immediately benefit the economy.

As we've debated these issues for several months, we've seen the data and heard from economists who say extending the payroll tax cut and unemployment insurance is good for American families, businesses and economic growth. It isn't the silver bullet to solving all of our Nation's problems, but it's a step in the right direction, a step that can provide some relief to the unemployed and stimulate consumer spending, which is fundamental to improving the overall economy.

By extending the payroll tax cut through the end of the year, 160 million Americans would continue to take home more money in their paycheck. For a family earning \$50,000 a year, that's about \$80 a month, or about \$1,000 for the year.

Without the extension, that \$1,000 is unavailable to families for buying groceries or putting gas in their vehicles or buying their children new clothes for school which, when spent at local businesses, sparks economic activity. These facts are indisputable.

Moody's Analytics estimates that for every dollar spent on the payroll tax cut it produces \$1.27 in economic activity. JP Morgan Chase economists also estimated that ending the payroll tax cut and halting an extension of unem-

ployment would shave .75 percent off the GDP next year. Macroeconomic Advisers provided a similar analysis last year, stating that allowing the pay roll tax cut to lapse would reduce GDP growth by .5 percent and cost the economy 400,000 jobs. A job loss of that magnitude would destroy the improvements in employment we've seen since President Obama took office.

Last week, the Labor Department reported that 243,000 jobs were added to the economy in January, marking the 23rd consecutive month of private sector job growth. The unemployment rate also fell to 8.3 percent, the lowest point since February of '09. Now, we clearly still have a long, long way to go, but failure to extend these critical programs would stifle the progress we have seen thus far and thwart future growth.

But Americans don't know if they'll have that extra \$80 a month to spend come March 1, and businesses are equally uncertainly about whether or not their customers will have that extra income to spend.

Yesterday, Mark Zandi, the chief economist at Moody's Analytics, told the Joint Economic Committee that it is vital, vital to extend both the payroll tax cut and unemployment insurance, which together could add .9 percent to GDP if done for the whole year. He also said the failure to do so would deal "a significant blow to the economy, cutting growth by almost one full percentage point."

We must extend both the payroll tax cut and unemployment insurance. Unemployment insurance provides temporary relief to Americans who lose their jobs through no fault of their own. In a sense, it's a bridge to reemployment. The average weekly benefit in 2011 was \$300 a week. That's \$1,200 a month. Take that away and millions of unemployed Americans lose a lifeline to put gas in their tank to get to that job interview, or to hire a babysitter while they go out to look for a job. Every little bit helps to get them back on their feet, and that's all Americans want to do, get back to work.

In every recession since 1957, the Federal Government has stepped in to provide additional support for unemployed workers. Without an extension, 5 million people will exhaust their benefits by the end of 2012.

Furthermore, under the GOP proposal in December to adjust the unemployment program, 3.3 million people would lose their unemployment benefits.

The Council of Economic Advisers estimates that if unemployment benefits are not extended, the economy can be expected to generate 478,000 fewer jobs. That's fewer jobs by the end of 2014, an estimate that is consistent with CBO projections. CBO also estimates that \$36 billion spent on unemployment insurance would raise GDP between \$14 billion and \$54 billion, or about .22 percent.

The Economic Policy Institute has also estimated that extending unem-

ployment through next year would create \$70 billion in economic activity and a .4 percent increase in GDP. While these estimates differ somewhat, they all point to one thing, increased economic activity.

Yet, here we are, debating whether or not this vital lifeline should be extended for an additional 10 months. For struggling families, this is a frightening time to find our elected leaders squabbling about the Keystone pipeline and requiring drug testing for unemployment benefits.

As American families continue to struggle, so too do American businesses. A survey done in 2011 by the National Federation of Independent Businesses found that 53 percent of small businesses said lack of demand is an impediment to growth. Extending the payroll tax cut and unemployment will put additional money in the hands of Americans who will, in turn, spend that money on necessities like food, clothing, and travel.

When consumer spending represents roughly 70 percent of our economy, the policies that create the environment for growth will be the ones that get Americans spending again, and we can do that by putting more money back into the pockets of Americans struggling to make ends meet.

It's not just American workers and the unemployed facing uncertainty. Medicare doctors and patients are too. If we don't act, the SGR formula responsible for Medicare physician payments will cut reimbursement by 27.4 percent starting on March 1. A cut this large will force more doctors out of Medicare at a time when doctors find it difficult to treat Medicare patients, pay employees and keep their practices open.

A 2011 MEDPAC survey found that 2 percent of Medicare patients reported having big problems finding a physician. That may not sound like a lot, but previous surveys showed patients having relatively few, if any, problems.

In addition, a 2008 survey done by the Center for Studying Health System Change found that about 14 percent of physicians accepted no new Medicare patients, and a 2010 survey by the American Medical Association found that 17 percent of physicians were restricting the number of Medicare patients in their practice. If we fail to find a permanent solution to the SGR, these numbers will only rise, and Medicare patients will not receive the care they need or deserve.

Mr. Speaker, the Congress must act to end this uncertainty. I urge my colleagues to support this simple motion to instruct, and I reserve the balance of my time.

Mr. WALDEN. I yield myself such time as I may consume.

Mr. Speaker, we've seen this motion to instruct before; and it calls on the conferees, of which I'm a member, to act, and to do so by February 17, I believe is the date that's been suggested. We would like to act. In fact, we await

an alternative from the Senate. The conference committee has met and, led by our very capable chairman, DAVE CAMP of Michigan, we've held, I believe, three or four open joint House-Senate Republican-Democrat conference discussions, meetings which hadn't happened around here. Certainly in the last Congress I don't think it ever happened. And we're doing it in the broad daylight, and we've had four of those, and our staffs are having some discussions.

But you've got to go back and understand that the House, under Republican leadership, actually passed a 1-year extension of the unemployment benefits. The House, Republican led, passed a 2-year doc fix, which meant for seniors who are on Medicare that the physicians they rely so much on for their health care, those physicians would continue to be able to afford to see them and not face a 27.4 percent cut in the reimbursement rates.

Now, here's the deal. We passed that, and we funded it, and we did it for 2 years, not 2 months—2 years. We did the payroll tax, as it's called by my friends on the other side of the aisle, payroll tax, middle class tax, working-American tax cut for a full year.

Now, there's a debate about whether that should be offset or not, because our party has said, you know, when we reduce the tax burden on hardworking middle class Americans, families and job creators, we shouldn't have to go raise somebody else's taxes to do that.

Now, the difference on this, if we're talking about Social Security taxes, this is about reducing the amount of money that you and I, Mr. Speaker, you and I pay into Social Security and every working American that pays into Social Security. We're saying, you get to reduce how much you pay into Social Security by this 2 percent.

Now, those of us on this side of the aisle believe that the Social Security trust fund has been raided once too many times by both parties over time, but that should stop. And so if we're going to reduce how much goes into Social Security, we should offset that somehow so that the fund is not drained, and that can be done in a multitude of ways.

But it should be done because otherwise it's less money going into the Social Security trust fund. And I think we'd all have to admit, as the actuaries do, that at the end of the day, the Social Security trust fund is not the best funded trust fund on the planet, and we are going to need to do some work to secure the retirement of future generations in Social Security.

□ 1630

So back to the point here, the House passed all of that. We did a 1-year payroll tax reduction so that hardworking middle class Americans would have tax relief. They'd have that extra money in the pocket, and Lord knows they need it, especially when you see what's happened under this President with energy costs.

I think gasoline was \$1.86 a gallon when President Obama took office, and we now go to the pump and it's somewhere between \$3-something or \$4 and pushing over \$4 depending on where you are in America. You've got to have a little extra money just to try and keep up and take your kids to soccer and go to school and go to work. It's hard out there.

So we passed that, a year extension of that, and a full year extension of unemployment for those who have struggled in this horrible economy. There have been 11 recessions since World War II. This is the worst in terms of a recovery from a recession.

When Ronald Reagan was President, we had a horrible recession in the early eighties. We came out of that recession, and if it were at the same pace now as then, you'd create something like 15 million, 16 million new jobs, which means virtually everybody who's unemployed and still uncoun- ted, because a lot of people who have fallen off the unemployment rolls aren't counted, all of them would have jobs if we were growing at the same pace we did when President Reagan was in office and we came out of that recession.

But we're not. The policies really haven't worked. The so-called stimulus that the American taxpayers were told if it would just pass, somehow unemployment would never get above 8 percent. Now, a trillion-plus dollars later with interest, payments that the next generation will get to pay back, we're somehow supposed to celebrate unemployment that's dropped to 8.3.

I'm glad to see the improvement. I'm glad to see the job gains in the private sector. For goodness sakes, my wife and I have been small business owners since 1986 in Oregon. I understand what it's like to sign the front of a payroll check and the back and to grow a business and to deal in good times and in bad.

But the long and short of this is this is a horrible recession, so coming out of this we need that bridge. We put some reforms in unemployment to help people, to lift them up, to give them incentive when they're out there for a year, year and a half, 2 years that maybe we could help them get a better education, encourage that, allow States to encourage that, to help them get a GED, because all of the data shows that if you have a high school diploma, if you have a GED, the odds of you getting hired are much higher.

Then we gave the States the opportunity to do drug screening.

I've heard from a lot of employers in my district out in rural Oregon that say, We do drug tests, and Congressman, you'd be shocked at how many people apply for the job and can't pass the drug test. Well, if you can't pass the drug test, then maybe you really aren't actively seeking work in a way that's legitimate because you can't get hired and yet you're on unemployment, so why don't we do some sort of screen, figure out that problem that you have, and help you then get treatment.

So we said to States, we're going to do away with a Federal decision that's, I don't know, 20, 30, 40 years old that said States don't have this authority. I think States could actually manage this pretty well. That was in the bill the House passed.

So we did all of these things: A 1-year reduction in the taxes people pay into Social Security, the payroll tax deduction, a 2-year fix for your physicians who treat our families on Medicare. Both of my parents, they're gone now, they were on Medicare. My wife's parents, who've also passed away, they were on Medicare. This is an incredibly valuable program. But we passed a 2-year fix for them.

The 1-year for unemployment and the 1-year for the middle class tax cut. All of that went over to the Senate. And this is probably something maybe we can agree on here. What we got back from the other Chamber was a 2-month extension of those things.

Now, some of us stayed around here when the House said, Really? A 2-month, when this is a 1-year and 2-year problem? Why don't you appoint some negotiators? So the Speaker of the House, Mr. BOEHNER, appointed the negotiators through the House side. We hoped that the Senate would appoint negotiators. They didn't. They didn't appoint anybody. In fact, they left town.

Eventually, when nobody showed up after we'd been here for a week, trying to see if we couldn't bring both sides, the House and the Senate together, Republicans and Democrats, work out something more than a 2-month deal, they wouldn't show. And we ended up passing a 2-month extension. Which by the way, Mr. Speaker, puts us right back where we are right now. Which is why we have this motion to instruct from my friends on the other side of the aisle calling on the conference committee to get its work done by the 17th.

So we have worked for that. In fact, the last time this was voted on here it was overwhelming. I think there were only 16 "no" votes in the House. So we want to get this done, too.

Now, the Republican conferees have met today, as we've done over the last week or two. The Democrat Senate conferees, by the way, they had a retreat today down at the Nationals ball park in some meeting room. There was a planning retreat. Both parties have had these in the House. But it just sort of caused a pause in the effort because the Democrats were all off at a policy retreat today from the Senate, so we weren't able to accomplish much today.

But we hope to get something from the Senate because, you see, they go into the conference and they had this 2-month effort against our 1-year. So we can't negotiate against ourselves. So we're waiting for a proposal back from the Senate, which we hope to get soon. If we do, tomorrow we'll meet at 10 o'clock. Republicans, Democrats,

House and Senate to try and work this through. We want to get this done. The American people deserve to have us get this done. We're working on a way to do that.

I reserve the balance of my time.

Mr. BISHOP of New York. Mr. Speaker, I yield myself 1 minute for a couple of quick comments.

We all have the same set of facts. The Senate conferees were appointed on December 23, the very same day that the provision that we're talking about passed the House by unanimous consent. The conference committee did not meet until the 27th of January for the first time. That's one.

Two, we talk about the Reagan recession. The Reagan recession was nowhere near as severe as the, let's call it the Bush recession. The GDP fourth quarter of 2008 declined at an annual decline of over 8 percent. Most severe recession we have had since the Great Depression. Jobs lost.

Last 14 months of the Bush administration, we lost jobs every single month, culminating in his last month in office, a job loss of 735,000 jobs. President Obama has been President for 36 months. We've had job growth, private sector job growth, in 23 of those months.

Drug testing, one comment: Over 400,000 Americans have lost their jobs in the last 3 years as a result of corporations outsourcing to other countries.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BISHOP of New York. I yield myself another 30 seconds.

So these are people who lost their jobs, ready, willing, and able to do them, lost their jobs as a result of, really, corporations unrelentingly pursuing profits at the expense of middle class Americans. Do we really want to add insult to injury and tell them if they need unemployment, they're going to have to be drug tested?

I yield 3 minutes to my friend from Vermont (Mr. WELCH).

Mr. WELCH. The major reason why this motion to instruct is timely is the answer to this question. What will we know after February 17 that we don't know now? There is going to be no new information. So what would justify the delay?

What we know now, number one, is that Republican economists and Democratic economists say that this is a very fragile recovery, that we're all happy that the unemployment rate is going down, but we're all concerned that it's unacceptably too high. And when you have Republican and Democratic-aligned economists saying unanimously to take this money out of the economy at this time would stall the recovery, we all agree that we can't do that. So that's not going to change between now and February 17.

Secondly, we know that on the pay-for, we have clear lines of division on this. If you have a pay-for that basically takes with one hand what was

given in the other, in other words you cut spending on things that help middle class families in order to pay for a 2 percent reduction in their payroll tax, that zeroes out the stimulative effect.

So from a macroeconomic point of view, it does no good for the economy, when all of us assert that our goal is to help the economy.

The second question is political tactics, and the political tactic of this Congress has been brinksmanship. On December 10, when we just about turned the lights out on government, it was a last-minute agreement that finally kept them on. It included a tax provision that extended the high-income tax cuts, added \$800 billion to the deficit, and created some significant anxiety in the markets as to whether this institution could do its job.

□ 1640

Fast-forward to August of 2011 and to the fiasco—that's the only word that can be used—of this House of Representatives actually having a debate about whether it was legitimate for the people of this country to not pay their bills. That caused enormous anxiety in the markets. By the way, that hurts the economy.

In December of last year, we were in the payroll tax fight, and this is where I think we get to the heart of the matter. There is a difference of opinion on the payroll tax. The Democratic side is essentially for it, and it was very clear the Republicans were against it, and there was kicking and dragging when the Speaker came back with the unanimous consent and overrode the action that had previously been taken.

So the reality of the situation we're in now is that the other side is saying, yes, yes, yes, they're for a payroll tax reduction; but their actions say, no way, no way, no way.

It's time to act.

Mr. WALDEN. Mr. Speaker, may I ask how much time remains on both sides.

The SPEAKER pro tempore. The gentleman from Oregon has 21 minutes remaining. The gentleman from New York has 17½ minutes remaining.

Mr. WALDEN. I reserve the balance of my time.

Mr. BISHOP of New York. Mr. Speaker, I now yield 3 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. I thank the gentleman for yielding.

Mr. Speaker, thankfully we're in a leap year, because we have 2 weeks to the day to come to an agreement to extend the payroll tax cut, the doc fix, and the important unemployment benefits.

We can't let taxes go up for the American people by \$100 billion. Let's get this clear what this costs. Yet the majority is willing to bail out certain banks, to protect billionaires from having their taxes go up by one dime, and the majority has to be dragged kicking

and screaming to provide the middle class a little help.

The gentleman from New York was absolutely correct to compare what the Reagan administration faced—and I thought they did a good job in responding to the problem—to this almost catastrophe off the cliff, which is a stretch beyond one's imagination. It doesn't stand up to logic. So far this year, the economic indicators have shown some improvements, not what you would like, not what I would like, not what the gentleman from Long Island would like. Well, we're going in the right direction. I'm sorry if some folks on the other side don't like that, but that's what's happening.

We've had 23 months of private sector job growth and increases not since the mid-nineties in manufacturing. When the President raised his hand in January of 2009, we were losing 750,000 jobs a month. Now the unemployment rate dropped to 8.3 percent, which is nowhere either side wants it to be. However, the failure to pass a payroll tax cut would put the brakes on our economic growth by reducing our gross domestic product by \$28 billion off the bat. The recovery is still fragile. The States, including my home State of New Jersey, have an above average unemployment rate. Unfortunately, the failure to pass an extension would also hurt New Jersey more than almost every other State.

First, folks living in Bergen County, they lose \$1,400. Now, that may not seem like a lot if you're paying a tax rate of 13.9 percent—hint, hint—but it is a significant amount of money directly in the pockets of the middle class families in northern New Jersey. Nationwide, the failure to pass an extension would reduce employment by \$350,000.

We all agree, Mr. Speaker, that this payroll tax cut is a good thing, but we disagree profoundly as to how we're going to pay for this. I know it's tough for you to come to the well to find places to pay for it since you didn't pay for anything.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BISHOP of New York. I yield the gentleman an additional 30 seconds.

Mr. PASCRELL. In New Jersey, this means the construction industry would lose over \$100 billion in sales; manufacturing would lose \$285 million in sales; and real estate professionals would lose \$159 million in sales. Overall, there would be a reduction of over 11,000 jobs.

This is totally unacceptable. The answer to job creation and economic growth is in front of our faces. Help the middle class grow with tax relief and smart investments now. Put it in context.

Mr. WALDEN. I yield myself such time as I may consume.

I want to just address a couple of points.

First of all, my dear friend from New Jersey, when he talks about the Congress bailing out the banks, may want

to talk to his colleague from New York since, I think, he voted for TARP in that process. Anyway, he may want to have that discussion right there.

You two are pretty close together. You can kind of work that deal out.

Mr. PASCRELL. Will the gentleman yield?

Mr. WALDEN. I yield to the gentleman from New Jersey.

Mr. PASCRELL. We were all in on this for good or for bad, and we could level the same criticisms about bailing out the auto industry. Some banks took advantage of it and played it straight; some did not.

Mr. WALDEN. In reclaiming my time, I don't disagree with that. I didn't support some of those bailouts either, although I did vote to make sure their financial system didn't collapse. My point is we faced some tough problems. We actually got over the hump in a bipartisan way, and we can do that here.

The interesting thing is that my colleagues on the other side of the aisle are the ones who, I believe, in most cases voted against the long-term payroll tax reduction the Republicans put forward; they voted against the 1-year extension of unemployment and the 2-year doc fix.

Mr. PASCRELL. May I respond?

Mr. WALDEN. Wait a minute. I've got a couple of other things I was going to share with you first.

So that's what the House passed; right?

What we got back from the Senate was the 2-month short-term that we're all upset about. Because I agree with you. Having been a small business owner, there were a couple of things that were bad about that 2-month extension, which we actually, in the end, tweaked and fixed. One is just doing the payroll—trying to get the formulas, the calculations, the software in your payroll system. All that had to be changed for employers, and we actually got that fixed at the end, which is a good thing.

Going forward, we need long-term predictability and certainty, and that's what Republicans thought and Speaker BOEHNER thought in the beginning, which was, why don't we stop kicking these cans down the road on short-terms and get away from these problems that were such an issue last year that riled the markets, as one of our colleagues said earlier. Why were we forced into this mess with short-term continuing resolutions that time and again we came right up to the brink on? Why? Because, under Speaker PELOSI, my friends on the other side of the aisle did not produce a budget nor did they fund the agencies for the full fiscal year.

Mr. PASCRELL. Will the gentleman yield?

Mr. WALDEN. No, I won't, not at this moment. Don't leave. I'll get to you.

I've got to finish this because this is the problem with the dysfunctional na-

ture of what happened here in Congress 2 years ago, which then, when we took the majority in January of last year, we inherited—no budget—just like our colleagues on other side have not produced a budget in more than 1,000 days. They still haven't produced a budget. If you and I were on a board of directors of some nonprofit and if we didn't do a budget every year, they'd rightfully say that you're being malfeasant, that you're not doing your job.

So the House passed a budget. The House, under Speaker BOEHNER, also funded the government. That wasn't easy, but we only have a majority on a good day in a third of the process, so we had to work with our friends on the other side and with the President downtown. At the end of the day, though, we funded the government for the rest of the fiscal year.

You talk about anxiety in the markets and all that. By the way, in having brought some stability back to government, in having seriously said we have to pay for spending and cuts by cutting spending, the market now is at the highest level it has been since the crash in '08 or thereabouts. So it is coming back. Now, that doesn't help the average Joe out there on the street necessarily or people trying to find work, and there has been a lot of effort to try and deal with that, but we have a long way to go. I agree with my colleague that none of us is happy at 8.3. None of us was really happy at 10 or, in parts of my district, at 16 percent unemployment, so we have a long way to go.

I would yield just briefly.

□ 1650

Mr. PASCRELL. I would agree with much of what the gentleman is saying, and we need a bipartisan solution.

Mr. WALDEN. Yes, sir.

Mr. PASCRELL. The problem is, you've failed to mention that how you paid for this is what really caused the disagreement, whether it was August or even December. Even December, go back to December when we had another opportunity, and we did not rise to that occasion. If you are not willing to at least come together and compromise on how you pay for these things—I know it's a difficult thing, and I respect the integrity of your words and yourself when I say this through the Speaker. I say this wholeheartedly and full-heartedly. If we can't agree on how we're going to pay for the payroll tax cut because if you look at what you've suggested—you're suggesting that we go deeper into the general budget and cut things that are near and dear to not only yourself—

Mr. WALDEN. I'm going to reclaim my time because you actually have time, and you might want to get some yielded on that.

The point is, the discussion we are having right now is on how to pay for it. That is the discussion we are having with the Senate, and there is disagreement. But there should be no mis-

understanding that it was the Republican House that put forward the 1-year extension of the payroll tax cut for these same working-class folks. It was the Republican House that put forward a 2-year fix for the docs so they had certainty in their medical practices and could continue to see seniors on Medicare. And it was the House that passed the 1-year extension on unemployment. We just think the "spend it even when you don't have it" days are over.

This country's job outlook is affected because of this country's government's failure to cut spending. We don't have a revenue problem; we have a spending problem. There is nothing that has a longer chance of living in America than a government program created in Washington. We have got to do a better job. It's not easy. The hardest thing you can do in this job is to tell somebody "no." But you know what, for too many times, too many people in this Chamber over the years have only said "yes" to spending and creating new programs. That has to change.

So we did have a debate about increasing the debt ceiling. And for the first time we said, It's not going to be that automatic Democratic Dick Gephardt rule that said, when you pass a budget, you raise the debt ceiling automatically. We thought it was time to have the debate. As painful as it was, as difficult as it was to say, We have to offset this increase in deficit by cutting spending, I know, as a small business owner, our small business would have been broke if it had been run as this government runs.

Now there are good times and bad times in government, and you can work around some level of borrowing and some level of deficit. But it isn't far from this porch out here to the debt crisis Greece has and Portugal has and the European countries have and are facing right now. We have time to fix that; and that's why we're saying rather than cut the funding going into Social Security and not replace it with something else is a mistake. That is what we're saying.

I reserve the balance of my time.

Mr. BISHOP of New York. I yield myself 30 seconds.

The gentleman referenced my vote on TARP. I did, indeed, vote for TARP. I found myself in pretty good company. Mr. CANTOR voted for TARP. Mr. BOEHNER voted for TARP.

With that, I yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Speaker, I thank my friend from New York for this opportunity.

We got some welcome economic news last Friday that companies added about 250,000 private sector jobs. It's long overdue, and we hope and pray that it continues for many, many

months to come. The country is coming back, but we have a very long way to go.

I think one of the reasons why the country is coming back is because at the beginning of 2011, everybody who earned a wage in this country got a fairly substantial tax cut so that they would buy more in the stores and maybe eat a little bit in the restaurants and buy more goods and services. And I think that and some other things started to work.

The worst thing that we could do would be to interrupt that recovery by failing to extend this tax relief for middle class Americans. I'm willing to take at face value that I think almost everyone in this House agrees with that proposition. And I think everyone agrees with the proposition that it would do great harm to our economy not to make this happen.

Here is what I think stands in the way of where we are and where we need to get to: in any negotiation, you can't succeed by negotiation through ultimatum. There are some things that I really think ought to happen. I, frankly, think the way to pay for this is a very small tax surcharge on the very wealthiest Americans. I think that those who make more than \$1 million a year, who have gotten, by the way, 90 percent of the pay increases in this country over the last decade, I think asking them to contribute to deficit reduction is a fair and reasonable thing to do. I think it's what we should do. But I don't think we should make it an ultimatum. And I don't think our party is making it an ultimatum.

The problem here, as I see it, is that the last time we went around in this 1-year extension, we heard from the other side two very important matters that I think are rather extraneous to solving this problem. The first had the functional effect of a cut in unemployment benefits. Now, at a time when there are four unemployed Americans for every one open job, I think to presume that the unemployed are lazy or are not working hard to find a job is really just factually incorrect and, frankly, indefensible. So we don't agree with extending this recovery by cutting the unemployment benefits of people out there looking for work. We just don't think that's a good idea. Then the other ultimatum came on the issue of the pipeline. And there are all different views on the pipeline—some pro, some con—within both parties.

I hope that what we're able to do is to stop the negotiation by ultimatum and extend this for the rest of the year. And the purpose of Mr. BISHOP's amendment needs to be looked at. There is no good reason why this can't be done by the 17th of February. Frankly, it should have been done by the 17th of January. And we all made this decision at the end of December. There was no reason why this couldn't have been done in the month of January, but here we are.

When the American people have a dispute in their family, in their busi-

ness, at the labor negotiations table, at their school board, no matter where they are, they do not negotiate by ultimatum. Neither should the Congress. And, frankly, when I heard from the other side in December that we must do the pipeline or no extension of the tax cut, you know, we must cut unemployment benefits or no extension of the tax cut, that's no way to run the country. And that's not what we ought to do.

Mr. WALDEN. How much time remains on each side, Mr. Speaker?

The SPEAKER pro tempore. The gentleman from Oregon has 13½ minutes. The gentleman from New York has 10½ minutes.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

I would like to just point out a couple of things so we get on the same terms here. I was actually here until the 23rd day of December, as were the Republicans appointed to be conferees. I don't know that Leader PELOSI had appointed Democrat conferees at that point. I don't think in that process she had yet, although she did somewhere thereafter. Maybe on the 23rd, but not in between. The Senate wasn't here. And even though we tried to get them to appoint conferees prior to that, they did not. So on the 23rd is when we finally said, It's over. They weren't coming back, and we ended up agreeing to the 2-month extension, which leaves us here.

Now, my friend from New Jersey talked about this should have been done by January 17. Well, there's only one problem with that: the Senate didn't come back into session until the 24th of January. The conferees could have met during that period. In fact, we would have met during that period; but, frankly, there were Members—probably from both parties and both Houses—who were not available to meet. And I know for sure in the Senate, some of the conferees were not available to meet because they weren't exactly in the country. So that wasn't going to happen until we were both in session.

I believe the State of the Union was Tuesday night, the 24th. I believe that's the day the Senate came back. I may be off by a day. But that's why this thing didn't start up. Which, by the way, is why in December we begged the Senate, Why don't we work this out December 23? Why don't we work this out December 22, 21, 19, 18, go on back. We were ready and we stayed, and they chose not to. They had a big vote and said, We're going to do 2 months. We'll see you at the end of January. So that is where we are.

□ 1700

Mr. ANDREWS. Will the gentleman yield?

Mr. WALDEN. I yield to the gentleman from New Jersey.

Mr. ANDREWS. Is the gentleman asserting that the Senate was in recess until January 24?

Mr. WALDEN. I believe it was.

Mr. ANDREWS. That means that the gentleman must support President Obama's appointments to the Labor Board?

Mr. WALDEN. Reclaiming my time, that's cute and clever. You and I know that's not exactly the same issue. And I would assert that if a different President, a different party had done that, you might share the same concerns that some of us have. We were not officially in recess, but they were not in town, either. Both Chambers open and close every 3 days. That's how it's been done in the recent past.

Mr. BISHOP of New York. I yield myself 30 seconds so we all have the same set of facts.

It's my understanding that the chairman of the conference committee, Mr. CAMP, was on a codel to South America during the period of time that the gentleman from Oregon cites, and it is up to the chairman of the conference committee to call the conference.

I yield 3 minutes to the gentleman from New Jersey (Mr. ROTHMAN).

Mr. ROTHMAN of New Jersey. I thank the gentleman from New York for the time.

Mr. Speaker, this matter of whether to extend the payroll tax for middle class Americans for 160 million Americans is a no-brainer for most Americans. It has to be done. 160 million Americans should get a tax increase because the Republicans don't want to share the sacrifice of cutting spending and balancing our budget? We have to pay for the sins of the Republican majority who want to balance the American budget on the backs of working class Americans, seniors, veterans, and the middle class? That makes no sense. It's not right.

Now, my colleague from the other side of the aisle says that the Democrats want to take money from Social Security to pay for this. That's not true, Mr. Speaker. In my opinion, that is obviously not true. This is from the party, Mr. Speaker, that wanted to privatize Social Security. The Republicans wanted to privatize Social Security, and everyone knows it.

I'm not going to yield.

The Republicans just voted last year to end Medicare.

So the American people are not fooled about whose side the Republicans are on and whose side the Democrats are on, Mr. Speaker. The Democrats are for working people, for the American middle class, for seniors, for veterans, for labor. So the Republicans say, Mr. Speaker, that they want 160 million Americans to have their payroll taxes go up. They want 50 million senior citizens in America to be threatened with the loss of health care because they are going to deny the doctors who treat the seniors full reimbursement for their treatments. And they want to cut unemployment benefits that put food on the table for tens of millions of Americans who are out there looking for work because the Republicans do not want to share the sacrifice. They want to cut spending on



the backs of the middle class working Americans and seniors.

They voted to privatize Social Security. They voted to end Medicare. Who is anybody kidding when they say that this bill to extend unemployment benefits, to keep the payroll tax cut for 160 million Americans, and to keep seniors having doctors care for them because the doctors will still get full Medicare reimbursement has anything to do with seniors? The Democrats are for Social Security, Medicare, and seniors, and everyone knows it.

It's time for our Republican colleagues—I'm a Democrat who voted against TARP and for the car company bailout—to get their priorities straight.

Vote for this continuation of unemployment benefits, for unemployment insurance, and full payment to doctors who take care of our Nation's seniors.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume to set the record straight.

First of all, my colleague who just spoke, it was his party that raided Medicare as part of the President's health care legislation by \$500 billion. That's a fact.

Now, when he says that my party ended Medicare, that is not a fact. And, in fact, PolitiFact, the independent arbiter of what we all say here to see if it's truthful, said that the notion that that is true is the biggest untruth of the year. They gave it that award because they knew that it wasn't true. And I know it's not true.

Now, I'm trying to figure out what my friend, and he is my friend, means when he said that this isn't somehow raiding Social Security's trust fund because the payroll tax that is at issue here that is being reduced by 2 percent is the payment that, if it were made, would go into Social Security. That's the payroll tax.

I won't yield at this moment. You wouldn't yield to me. I'll let you use your folks' time.

Now that is being offset. And by the way, the offsets that we are talking about as part of this legislation almost in every case received bipartisan support in this House, and sometimes overwhelming bipartisan support. And many of those offsets were actually recommended by the President of the United States, Mr. Obama, as part of a different package as things that he thought made sense.

And so we said, you know what? Maybe there's some common ground here. The President recommended some of these offsets as ways to reduce government spending and pay for other things as part of the supercommittee process. And so if he thought it was okay there, maybe we can finally find some common ground, and we'll say you like that there, and so we'll use that here so we don't increase the deficit, don't hurt jobs, and don't leave our kids with an unimaginable debt.

So Republicans are the ones who've said, We're not going to let you raid

Social Security. We'll reduce the payroll tax payment, the Social Security tax payment, but we're going to offset it so that the fund is not any further reduced. I think that's an important principle that I would hope we would all share.

And so I just say that it was the President's health care plan that took \$500 billion out of Medicare. I don't know, I'm a fan of Medicare. I've seen what it does for seniors. I saw what it did for my parents and my wife's parents. I want to make sure it's preserved for the future, just like I want to make sure Social Security is as well. That's why we shouldn't rob the fund.

I reserve the balance of my time.

Mr. BISHOP of New York. Mr. Speaker, I yield myself 30 seconds for two quick comments.

I don't know a single Democrat, not a single one, who believes that we should diminish the Social Security trust fund to handle this Social Security payroll tax reduction. We all believe that the Social Security trust fund should be held harmless.

Second, with respect to Medicare, the Affordable Care Act does indeed reduce the rate of growth of Medicare going forward by \$500 billion. I will point out that every single Republican in this Chamber voted for that very same reduction in the rate of growth when they voted for the Ryan budget.

I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I thank my friend.

We are here as stewards of our Nation, and we must be here to care for the people of our Nation, to care for those who are working hard every day trying to survive, trying to pay their mortgages, trying to pay their car payments, get their kids in school. And all they're looking for, 160 million Americans, is a continuation of a tax cut. We should be for that.

Those millions who are unemployed are also looking for help. They're looking for recognition that they've earned these unemployment benefits. This isn't welfare. It is an earned benefit, unemployment insurance. We should make sure they get that benefit.

Now, why do they need it? It's pretty obvious. People have to pay their mortgages or their rent. They have to feed their family, and they have to put clothes on their kids' backs. They need this unemployment insurance.

I have trouble understanding, Mr. Speaker, this proposal that's before the Congress in this bill, H.R. 3630, that would discriminate against Americans who aren't employed, who don't have a high school diploma, by saying if you're going to get unemployment benefits, you have to go to school. Well, that sounds good, but then it doesn't give them any resources to do so. This sounds too much like urging people to pick themselves up by their bootstraps and then stealing their boots.

We should give people unemployment benefits, and if they have time to go to school because they don't have a job,

we should be paying for that as well. That helps to uplift the knowledge level in America, and then when our economy comes back, we'll have a better-trained workforce.

Now, this other proposal which would allow States to subject all of those who apply for unemployment insurance to drug test needs to be looked at.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BISHOP of New York. I yield the gentleman an additional 30 seconds.

Mr. KUCINICH. Has anybody in this Congress suggested that those who are getting a bailout should take a drug test? That those who have oil depletion allowances should take a drug test? That those who were the recipients of the Bush tax cuts in the top bracket should take a drug test? No. We say the poorest of the poor should be subject to drug tests. I mean, come on. Get real.

□ 1710

We need to create jobs in this economy, and there's one way to do it. We could create 7 million jobs debt-free with what's called the NEED Act, the National Employment Emergency Defense Act. Government needs to create these jobs debt free. We don't have to have the unemployment level we have. We shouldn't be having this debate.

Mr. WALDEN. I yield myself such time as I may consume.

Mr. Speaker, what Americans really want is a job. I don't think there's any disagreement between us that that should be our goal. That's why as part of what the Republicans put in the bill that went to the Senate is a plan to auction off spectrum that would generate upwards of 700,000 jobs, according to some studies—700,000 jobs. It will spur innovation and spur technology. That's in this bill that we're fighting for because this is a sector that can grow good-paying, family jobs that can keep America in the lead on innovation and technology.

So the legislation, the American Jobs Act, which I authored, is in this legislation. It's a part of this bill. It would generate net \$16.7 billion to help pay for extending unemployment or to help pay the Social Security trust fund so that it doesn't have to be depleted.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. REED).

Mr. REED. I thank my good friend from Oregon for yielding me this time.

Mr. Speaker, I have sat on this conference committee now for a bunch of months, and there's been a lot of money spent in Washington, DC, and elsewhere around this Nation saying that the Republican Party is the Party of No. Well, let me tell you as I sat in this conference committee what I heard, and yesterday was the best example of it.

I heard commonsense proposals in the House bill brought to the conference committee, brought to the Senate Democrats and said, Look, we have all supported this. Ninety percent of

these pay-fors for the policy that we're trying to enact, the President—the Democratic President—supports. And what I heard repeatedly yesterday was, No, no, no. We are not going to accept these pay-fors. Even though our President said we'll accept them, even though we've supported them in the past, what I heard yesterday was, No, we're not going to pay for it.

So I think to the American people there is a clear division here. What we stand for in the House Republican side and in this Chamber is that we are going to pay for the decisions coming out of Washington, DC, going forward.

And I will have to say that my colleagues on the other side of the aisle, and my particular colleagues in the Senate on the Democratic side of the aisle, have tried to go back to the old politics of do you know what? Let's just call everything emergency spending and we don't have to pay for it. That's old-school politics. That philosophy is done and over with because the hardworking American taxpayers back at home, Mr. Speaker, deserve for us to pay our bills, and that is what we're doing.

I am all for true dialogue. If the Senate is not going to accept the pay-fors that are in the House bill, then send over whatever proposals you have to cover this bill, especially when we're talking about Social Security taxes and when we're talking about payroll taxes that are the sole revenue to fund Social Security.

I've met so many constituents back at home, Mr. Speaker, that have repeatedly told me, Why are you cutting these taxes? Why are you jeopardizing Social Security? And what I have said to them is, I believe that you need to keep your money, not give it to Washington and let them waste it and spend it on policies that are out of here. But what we will do is I will stand and make sure that Social Security is made whole.

That's what I'm looking for in this dialogue is that we come together, recognize that the politics of old is done and we will pay for our decisions. And once that happens, I am confident we can come together and do what hardworking taxpayers in America want us to do, and that is extend the payroll, take care of the unemployment, and take care of our doctors so that physicians can see our seniors in America and that Medicare is preserved.

Mr. BISHOP of New York. I yield 2 minutes to my friend from Michigan (Mr. PETERS).

Mr. PETERS. I thank the gentleman for yielding.

I rise today in support of Representative BISHOP's Democratic motion to instruct conferees.

If Congress doesn't act by the end of the month, Americans that have lost their jobs through no fault of their own will begin losing the unemployment benefits keeping their family afloat in these very difficult times. This is why I'm leading my colleagues in sending a

letter to the conference committee urging them to preserve current levels of unemployment benefits. Families receiving unemployment benefits are already facing significant challenges, and pulling the rug out from underneath them would damage our economy and force these Americans into poverty.

Mr. Speaker, my Republican colleagues like to talk about uncertainty. When they're not pushing tax cuts for the rich as a cure-all for the economy, they're blaming uncertainty supposedly created by Wall Street reform or environmental protections for slow economic growth.

If my Republican colleagues want to know what real uncertainty is, I suggest they pick up the phone the next time one of their constituents who is staring down the expiration of their unemployment benefits calls. Real uncertainty is not knowing if you're able to pay for heat. Real uncertainty is not knowing if you're able to pay for groceries. Real uncertainty means spending a year or more looking for a job and barely scraping by with unemployment benefits while some in Washington want to play politics with the livelihood of these Americans. Uncertainty is exactly what Republicans are creating by their refusal to come to the table and pass a full extension of unemployment benefits and the payroll tax cut.

I support Representative BISHOP's motion to instruct conferees because it will direct conference committee members to stop the delay and issue their report next week. American families cannot afford to wait any longer.

Mr. WALDEN. How much time does each side have remaining, Mr. Speaker?

The SPEAKER pro tempore. The gentleman from Oregon has 4½ minutes remaining. The gentleman from New York has 2 minutes remaining.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

I think this has been a good, thoughtful, and lively debate because I think we've been able to show each other, through you, Mr. Speaker, the fact that the House did its work.

House Republicans put forward a proposal to extend unemployment benefits for a full year, and we paid for it. We put forward a proposal to give working middle class taxpayers a reduction in the amount they pay into Social Security, but we backfilled that money so that Social Security's trust fund was not depleted. And we said to our physicians out there who take care of our seniors that they would have certainty and not face a 27.4 percent cut in their reimbursement rates under Medicare and that they would have that certainty for 2 full years. So the facts are clear what the House passed.

We also included in this legislation to try and drive new job creation in the high-tech sector by auctioning off spectrum that would generate \$16.7 billion and upwards of 700,000 jobs. That's a

high-end number, but let's say it's half that. There are estimates all over the place. But a few hundred thousand jobs would be a really great thing, especially in technology and innovation and everything that would come from that. That's in this bill.

What we got back from the Senate was 2 months—2 months—2 months—and a failure to even come to the table. So the Republican conferees from the House have been willing to meet any time, anywhere. And, in fact, under Chairman CAMP's leadership, we have met in public with our counterparts.

Frankly, we've had some good discussions across the table. I want to make that clear, as well. Between the Republicans and Democrats, House and Senate, those of us on the conference committee I think you would say, even though we may have disagreements, we've had good discussions. And now we need to get the work done.

In order to get the work done, we have to have some alternative proposals from the Senate, which hopefully we're going to get, maybe even tonight. I think that would be helpful because then we would know what their position is, because this is kind of a different sort of conference. We had a year bill; they had a 2-month bill, and most of that 2-month bill became law. So it's been kind of an awkward conference for the Senate to try and figure out how to do this, and the House has a full year or 2-year extension, depending upon the items at issue here.

So we'll meet again tomorrow at 10 o'clock, is my understanding, in conference, either in private or in public. I don't know. That will be up to the chairman. But in any case, I don't care when or where. I'm ready. Mr. REED from New York who spoke earlier is ready, and my other conferees are ready. We were ready in December to get this done, we really were, and we still are. And we're committed to the working American people and those who are trying and struggling to find jobs to make sure they have that unemployment insurance. They deserve that, they need that, and we're committed to providing that.

□ 1720

So, Mr. Speaker, on that note, I don't think there will be any objection on this floor to approving the motion to instruct conferees to get their work done by the 17th. I'll certainly support it, as I have and nearly everyone in the House has.

Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP of New York. In closing, let me just make it unmistakably clear: there is not a single Democrat that is advocating diminishing the Social Security trust fund. We all agree that the Social Security trust fund must be made whole. That is why we are fully accepting of the fact that this tax cut—unlike every other tax cut that's been passed in this Chamber in the last 10 years—should be fully paid



for so that the Social Security trust fund is not diminished.

Secondly, I want to thank Mr. WALDEN and Mr. REED for their service on the conference committee; it cannot be an easy conference. I would just ask that as you go forward, you be guided by what Leader CANTOR has said. What Leader CANTOR has said is that we should pass what we can agree on, and we should leave the issues on which we can't agree to another day. It certainly appears as if we agree that we need to extend the payroll tax deduction, we need to fix the SGR, and we need to pass unemployment insurance.

So, let's pass it. Let's leave to another day contentious issues like mercury emissions, like the Keystone pipeline, like drug testing. Let's pass what we can agree on. Let's debate those other issues—they're important, they deserve a full debate—but let's not let them stand in the way of a tax cut for 160 million Americans, access to Medicare physicians for 50 million Americans, and keeping millions of Americans at least with some lifeline with respect to unemployment insurance.

I urge my colleagues to support this motion to recommit, and I thank the gentleman from Oregon for a spirited debate.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BISHOP of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

#### FRANK CUSHING

(Mr. LEWIS of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of California. Mr. Speaker, our Capitol Hill community has endured a great loss this week with the passing of our dear friend, Frank Cushing. Frank passed away early Monday morning after a year-long battle with cancer. He was 59 years old.

Frank Cushing left his mark on public policy through more than 30 years of public service in the House and the Senate.

For those people who understand just how important fine staff are to our ability in the House and the Senate to more effectively serve our public, I know of no public servant who has greater respect in this community, indeed, around the country, than Frank Cushing.

We will be holding a memorial service commemorating Frank's work on our behalf next Monday at 3 p.m. The details regarding that service will be in the CONGRESSIONAL RECORD. I urge all Members who know and love Frank Cushing to come together and focus upon his service.

#### PRO-CHOICE CAUCUS

(Ms. WOOLSEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, there are few things more universal to the health and lives of women than birth control. It is basic health care. It's essential to women's economic independence and professional fulfillment. In fact, with the swearing-in of our new colleague from Oregon, we now have 94 women in Congress. My guess is there would be about half that number without the benefit of contraceptives. That all began 40 or 50 years ago.

So, when the Speaker said this morning that Congress must overturn the President's policy "acting on behalf of the American people," I'm not really sure what he's talking about because the President's decision is on the right side of common sense, sound science, and public opinion. It enjoys support from a majority of Americans and a majority of Catholics.

Let me add that many of my House colleagues who want to deny access to contraception are the same ones who want to cut programs that help women and families facing unwanted pregnancies.

I applaud the President for standing up to reactionary forces and standing up for women's health care and women's freedom.

#### STOCK ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from New York (Ms. SLAUGHTER) is recognized for 60 minutes as the designee of the minority leader.

Ms. SLAUGHTER. Mr. Speaker, from Main Street to Wall Street, it is common knowledge that insider trading of stocks is a crime. In 2004, celebrity homemaker Martha Stewart was sentenced to 5 months in prison. In 2011, Wall Street titan Raj Rajaratnam was sentenced to 11 years in prison for profiting from stocks bought and sold on insider information.

Despite these headline-grabbing convictions, when it comes to Members of Congress, the law of the land clearly does not apply. In the Halls of Congress, there are no clear laws preventing Members of Congress from using their public office to obtain insider information and trade stocks for private enrichment. We thought last week when the Senate passed the STOCK Act 96-3 that the House would have a chance to follow and that we

would be moving forward to remedy that wrong. We were unfortunately very much wrong. We had had a markup 2 months ago in December on the STOCK Act; and at the last moment, the bill was snatched away, the meeting was adjourned, and we heard no more.

After the Senate passed the bill, the House decided that they indeed would pass one, any kind that was going to be strengthened and made better. We discovered yesterday that what was going to happen was that we would no longer have a freestanding bill, but instead we would have a suspension bill.

Let me take just a second to explain the difference between those two bills. We would have had an opportunity under a regular bill to be able to amend it, and we would have been given the right to recommit. Under suspension, we can do nothing but vote it up or down. This bill, which has the most support that I've seen in my 20 years in Congress, more editorial support all over this country and support in parts of Europe, is more than you can even imagine, and it was simply taken away. Was it made stronger? Absolutely not. We said yesterday that we were afraid the euphemism for making stronger meant that the bill would be gutted, and indeed it was.

The part called "political intelligence," which is an investment that people make in getting political intelligence from Members of Congress and their staff, yields \$402 million a year just simply from information traded from Members of Congress and sold to the clients of hedge fund dealers. We're pretty disappointed about that. It happened in the dark of night. We didn't even know it was going to be in the bill until 10:30.

I was really pleased today to hear from both Senator GRASSLEY and Senator LEAHY of their great disappointment regarding what the House had done, and we are demanding that we have a conference on these two bills so that we can have an opportunity to keep political intelligence in that bill because of its major importance. In fact, if we do nothing, this totally unregulated industry will simply continue to prosper in the shadows with no one watching.

In a way, the STOCK Act is a statement of how we view ourselves, and it certainly is the relationship to those that we serve. It's a reflection of our role as public citizens and knowledge that while we may receive the honors and power conferred by our service, we ourselves are equal in our rights and responsibilities just as every other single American citizen. No matter how powerful our position, no matter how hallowed the Halls we walk, no one here is above the law.

□ 1730

With the passage of the STOCK Act, Congress could have moved one step closer to living up to the faith and trust bestowed upon us by the American people, citizens for whom we